

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN MICHAEL BUTLER,

Plaintiff,

v.

LACHELLE DOZIER, et al.,

Defendants.

No. 2:22-cv-00226-DAD-DB

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
THIS ACTION

(Doc. Nos. 2, 6)

Plaintiff Kevin Michael Butler, proceeding *pro se*, initiated this civil action on February 3, 2022. (Doc. No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 20, 2022, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed, without prejudice, due to plaintiff's failure to prosecute this action and failure to obey a court order. (Doc. No. 6.) The pending findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 1–2.) To date, no objections to the findings and recommendations have been filed, and the time in which to do so has now passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the findings and recommendations are supported by the record and by proper analysis.

Accordingly:

1. The findings and recommendations issued on October 20, 2022 (Doc. No. 6) are adopted in full;
2. This action is dismissed, without prejudice, due to plaintiff's failure to prosecute this action and failure to obey a court order;
3. Plaintiff's pending motion to proceed *in forma pauperis* (Doc. No. 2) is denied as having been rendered moot by this order; and
4. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: February 13, 2023

Dale A. Dwyer  
UNITED STATES DISTRICT JUDGE